

REMARKS/ARGUMENT**Regarding the Claims in General:**

Claims 1-39 are now pending. Claims 1, 17, and 18 have been amended to address issues raised by the examiner, and claims 34-39 have been added to provide applicants with additional protection to which they appear to be entitled in light of the known prior art.

Regarding the Objection to Claim 17:

Claim 17 has been amended to overcome the objection stated in Section 1 of the outstanding Office Action.

Regarding the Prior Art Rejections:

In the outstanding Office Action, claims 1-34 were variously rejected under 35 U.S.C.102 as being anticipated by Tabuchi (JP 403208348A) or Kuroda et al. (U. S. Patent 3,814,931) or under 35 U.S.C. 103 as being unpatentable over Kuroda. Applicants respectfully request reconsideration and withdrawal of these rejections.

Claims 1 and 18 have been amended to better highlight a distinguishing feature of the invention in relation to the applied prior art, and have been broadened slightly in certain other respects. In pertinent part, claim 1 as amended now specifies that:

at least one of the light from the light source and the light received by the detector move in tandem with the collet assembly.

Claim 18 as amended, now recites a similar limitation on the claimed method.

Such an arrangement is not shown, taught or suggested in either Tabuchi or Kuroda. In Tabuchi, the collet 1 must be moved to a photoelectric converter position having a light emitting unit 3 and a photodetector 4 to detect the presence of a device on the collet.

In Kuroda, the collets 14 must move the capsules towards a fixed light beam 24 (see col. 2, line 53 to col. 3, line 3), and in any case its aim is to measure the capsules and not to determine whether a capsule is missing.

New claims 34-35 and 37-38 expand on the amendments to claims 1 and 18 to specify how tandem movement of the incident and/or emanating light with the collet is achieved. These claims,

as well as original claims 2-17, and 9-33, and new claims 36 and 39, are dependent on allowable claim 1 or 18, and are patentable for the reason stated above.

In view of the foregoing, favorable reconsideration and allowance of this application are respectfully solicited.

I hereby certify that this correspondence is being transmitted by Facsimile to (703) 872-9306 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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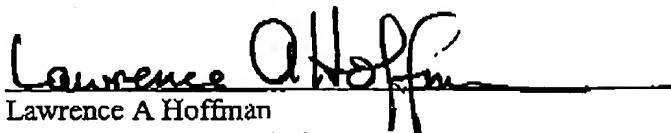

Signature

April 8, 2005

Date of Signature

LAH:gl

Respectfully submitted,


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